

COLONIAS FACTS

March, 1998

COLONIAS BACKGROUND AND HISTORY

Colonias is a designation applied to low income, unincorporated subdivisions in Texas and New Mexico along the U.S.-Mexico international boundary. The *colonias* began developing in the late 1950's (although some sources put their age much older.) They are characterized by substandard housing, inadequate plumbing and sewage disposal systems, and inadequate access to clean water. Adequate solid waste disposal facilities are also not available. The common thread is the potential and immediate health threat due to inadequate or lack of safe, potable water and sewage disposal. Sanitation and health conditions in these areas compare to those in Third World countries. Hepatitis, gastrointestinal and other diseases are very common.

There are over 1,200 *colonias* in Texas and New Mexico along the border with an estimated population of more than 300,000. A few *colonias* may exist in Arizona and some possibly in California. *Colonias* developed in the border area (especially in Texas) as land developers sold small plots of land in unincorporated subdivisions to low income families. These land purchases are generally financed with a low amount down and low monthly payments. A deed of ownership is rarely transferred. At the time this activity took place, State law only required road access and drainage.

Providing solutions to public health problems in the *colonias* is a unique situation in that they are not political subdivisions. Financial programs are normally designed to deal with an identified political entity.

Basic Facilities and Services

The typical colonia does not have any basic community infrastructure such as safe drinking water, sewage disposal or garbage collection and disposal.

Until 1989, Texas counties did not have the authority to require water and sewer in new developments. In November 1989, Texas passed a State Law authorizing the Texas Water Development Board to promulgate rules requiring developers to provide water and sewer infrastructure. As a condition for financial assistance, the counties must adopt these rules. In New Mexico, the county governments require developers to provide water and sewer. Compliance with these requirements has been improving and enforcement has been reinforced due to the efforts of the State Attorney General's Office. Also, comprehensive legislation addressing land use practices in Texas colonias was passed by the State Legislature in 1995 and is having a positive impact as communities become familiar with its provisions.

Human and Ecological Health Problems

Human health threats from inadequate wastewater collection and treatment and the lack of safe drinking water make such diseases such as cholera, hepatitis A and giardiasis a continuing problem in the *colonias*. Diseases transmitted by mosquitos, flies, and rats are ever present due to poor garbage disposal practices.

WATER-RELATED INFRASTRUCTURE NEEDS ASSESSMENTS

The Texas Water Development Board conducted a needs survey in October 1992 to determine preliminary cost estimates for water and wastewater services in the *colonias*. The total estimated cost to provide water and wastewater services to Texas *colonias* was calculated to be approximately \$696 million (1992 dollars). Of this total, approximately \$147.9 Million was needed for water service and \$467.3 Million for wastewater service. The estimate also included \$80.8 Million for connection fees and indoor plumbing improvements needed by existing colonia residents. Since that time, updated estimates by Texas have raised the needs by about \$100 Million.

In New Mexico, the New Mexico Environment Department (NMED) in 1992 identified their needs in the order of \$23 million for wastewater and \$2 million for water.

ASSISTANCE PROGRAMS

Environmental Protection Agency

EPA is actively assisting the *colonias* through the State agencies by providing funding for construction of *colonias* wastewater infrastructure. The Fiscal Year 1998 Congressional appropriation for EPA included drinking water infrastructure as an allowable cost for the colonia assistance funding. Prior appropriations were limited to wastewater assistance.

Since 1993, EPA has made \$320 million available in grants to Texas and New Mexico to provide for wastewater facilities. Significant progress is being made. In Texas, 48 construction projects are underway which will benefit over 143,621 residents at a cost of \$287 million. New Mexico has committed \$14 million to 13 projects.

Community general technical assistance, preparation of project proposals, overall management of infrastructure projects, technical review of project designs, and project construction management are provided by the Texas Water Development Board and New Mexico Environment Department, who are responsible for day-to-day program management.

U.S. Department of Agriculture

Within the Department of Agriculture, the Rural Utilities Service (RUS) is active in funding water supply and wastewater systems. The Agency has been assisting colonias since 1969, and is presently providing about \$25 million a year for drinking water and wastewater systems in colonias in the four border States.

Eligible applicants are public entities such as municipalities, counties, special purpose districts, indian tribes, and not-for-profit corporations. Eligible activities under this program are to construct, enlarge, extend or otherwise improve community water and/or waste disposal systems; make loans and grants to individuals for extending service lines and/or connecting residences to the applicant's system; and, make improvements to an individual residence when needed to allow use of the water and/or waste disposal system.

U.S. Department of Housing and Urban Development

The Department of Housing and Urban Development, through the appropriate State agency provides a wide variety of funding assistance to *colonias* ranging from preliminary planning through construction of a broad range of infrastructure. Through set-asides of the border States' share of HUD funds from the community development block grant program, about \$10 million has been made available annually to colonias for the last several years.

Texas

The Texas Water Development Board (TWDB) administers three programs to assist the *colonias*. The *Colonias* Wastewater Treatment Assistance Program (CWTAP) (funded by EPA grants), the *Colonias* Plumbing Loan Program (CPLP) and the Economically Distressed Areas Program (EDAP). The programs provide loans and grants to sponsoring local governments for sewers and wastewater treatment facilities and low interest loans to *colonias* residents for basic plumbing facilities.

The *Colonias* Plumbing Loan Program (CPLP) was funded by EPA with a \$15 million grant on December 27, 1991. The CPLP provides low interest loans to local governments which in turn, provide loans to residents for basic residential plumbing, connections to sewer systems or septic tanks. Over \$4 million has been made available to several communities (Edinburg, El Paso and Pharr) from the CPLP. The CPLP has been slow in starting due to competition from grant programs.

The Economically Distressed Areas Program (EDAP) is a State funded program, financed through bond issues. The EDAP is a combination grant/loan program for areas primarily in counties along the U.S./Mexico border. The funds are to be used for construction, acquisition, or improvements to water supply and wastewater collection and treatment works including all necessary engineering work. The *Colonias* Wastewater Treatment Assistance Program (CWTAP) is similar, but is funded by EPA grants, and assistance is limited to wastewater facilities for border-area colonias.

New Mexico

The New Mexico Environment Department (NMED) administers a program to assist the *colonias*. Funded by \$20 million in grants from EPA, the program provides low interest loans and grants to sponsoring local governments for sewers and wastewater treatment facilities. To date, the NMED has awarded \$14 million to 13 projects.

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USEFUL WEB SITES:

- ! Texas Water Development Board, Economically Distressed Areas Program (EDAP):
<http://www.twdb.state.tx.us/colonias/index.htm>
- ! Texas Office of the Attorney General, Colonias Database:
<http://www.oag.state.tx.us/WEBSITE/TEXMEX/COLONIAS/col-db.htm>
- ! Texas/Mexico Borderlands Data and Information Center:
http://www.twdb.state.tx.us/www/blands/colonia_proj.html
- ! Center for Housing and Urban Development, Texas A&M University:
<http://chud.tamu.edu/chud/colonias/colonias.html>

- ! LBJ School of Public Affairs, Colonias Policy Research Project:
<http://www.lanic.utexas.edu/la/Mexico/colonias/landregs.html>
- ! Texas Colonias -- An Environmental Justice Case Study:
<http://www.ollusa.edu/academic/cas/philosophy/cur/colonias.htm>
- ! LBJ School of Public Affairs Public Research Policy Report on Colonias:
<http://uts.cc.utexas.edu/~txlihis/blihcprp.html#anchor57722>